



IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

JILL L. RING, DEREK T. THOMPSON,
and CHARLES L. GIBSON,

Plaintiffs,

v.

THE SPORTS AUTHORITY, INC.,

Defendant.

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CIVIL ACTION NO. 6:04-21848-HFF-WMC

ORDER ADOPTING THE REPORT AND RECOMMENDATION
OF THE MAGISTRATE JUDGE AND
GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

I. INTRODUCTION

This is an employment case. The matter is before the Court for review of the Report and Recommendation (Report) of the United States Magistrate Judge suggesting that Defendant's motion for summary judgment be granted. The Report is made in accordance with 28 U.S.C. § 636 and Local Rule 73.02 for the District of South Carolina.

II. THE REPORT

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with the Court. *Matthews v. Weber*, 423 U.S. 261, 270 (1976). The Court is charged with making a *de novo*

determination of those portions of the Report to which specific objection is made; and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

The Magistrate Judge filed the Report on October 6, 2005, and Plaintiffs filed their objections to the Report on October 25, 2005. Subsequently, on November 8, 2005, Defendant filed a response to Plaintiffs' objections. The Court has carefully considered Plaintiff's objections but finds them to be without merit. Therefore, for the reasons set forth in the Magistrate Judge's comprehensive and well-reasoned Report, the Court will grant Defendant's motion for summary judgment.

III. CONCLUSION

After a thorough review of the Report and the record in this case pursuant to the standards set forth above, the Court overrules Plaintiffs' objections, adopts the Report, and incorporates it herein. Accordingly, it is the judgment of this Court that Defendant's motion for summary judgment must be **GRANTED**.

IT IS SO ORDERED.

Signed this 10th day of January, 2006, in Spartanburg, South Carolina.

s/ Henry F. Floyd
HENRY F. FLOYD
UNITED STATES DISTRICT JUDGE